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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER MANUEL OSORIO,

Defendant and Appellant.

H046465

(Monterey County

Super. Ct. No. SS141106A)

Defendant Christopher Manuel Osorio appeals from the judgment entered following his admission that he violated probation. Appointed counsel filed an opening brief summarizing the case but raising no issues. Counsel attempted to communicate with defendant about the appeal but was unable to locate him. The clerk of this court mailed a letter to defendant's last known address notifying him of his right to submit written argument on his own behalf. The letter was returned as undeliverable. We have reviewed the entire record and find no arguable appellate issue. We therefore briefly describe the underlying proceedings and will affirm the judgment. (See *People v. Wende* (1979) 25 Cal.3d 436, 440–441; *People v. Kelly* (2006) 40 Cal.4th 106, 110.)

Defendant pleaded no contest in 2014 to driving under the influence with three prior such offenses. (Veh. Code, §§ 23152, subds. (a), (b); 23566, subd. (a).) He was granted probation. A probation violation proceeding was initiated in 2015 and probation was revoked. The circumstances of the alleged violation were that defendant used methamphetamine and failed to report to an appointment with his probation officer.

Defendant admitted the violation in 2018. Probation was terminated and the trial court sentenced defendant to the middle term of two years in state prison on the Vehicle Code section 23152, subdivision (a) charge with the Vehicle Code section 23566 enhancement. The court imposed a \$300 restitution fine (Pen. Code, § 1202.4, subd. (b)), and a suspended \$300 parole revocation restitution fine (Pen. Code, § 1202.45). The sentence was ordered to be served concurrent with a prison term for an unrelated case (Santa Cruz County Superior Court case No. F28620).

Defendant timely filed a notice of appeal indicating he is appealing based on the sentence or other matters occurring after his plea and not affecting its validity.

DISPOSITION

The judgment is affirmed.

Grover, J.

WE CONCUR:

Mihara, Acting P. J.

Danner, J.